



Order Filed on February 28, 2020
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re:

FRANK THEATRES BAYONNE/SOUTH
COVE, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 18-34808 (SLM)

Jointly Administered

**ORDER GRANTING LIQUIDATING TRUST'S FIRST OMNIBUS OBJECTION
TO CLAIMS SEEKING TO DISALLOW CERTAIN LATE-FILED CLAIMS**

The relief set forth on the following pages, number two (2) through and including four (4), is hereby **ORDERED**:

DATED: February 28, 2020


Honorable Stacey L. Meisel
United States Bankruptcy Judge

¹ The Post-Confirmation Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: Frank Theatres Bayonne/South Cove, LLC (3162); Frank All Star Theatres, LLC (0420); Frank Theatres Kingsport LLC (5083); Frank Theatres Montgomeryville, LLC (0692); Frank Theatres Rio, LLC (1591); Frank Theatres Towne, LLC (1528); Frank Theatres Mt. Airy, LLC (7429); Frank Theatres Sanford, LLC (7475); Frank Theatres Shallotte, LLC (7548); Revolutions at City Place LLC (6048); Revolutions of Saucon Valley LLC (1135); Frank Entertainment Rock Hill LLC (0753); Frank Entertainment PSL, LLC (7033); Frank Hospitality Saucon Valley LLC (8570); and Galleria Cinema, LLC (2529).

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Case No.: 18- 34808 (SLM)

Caption: Order Granting Liquidating Trustee's First Omnibus Objection to Claims Seeking to Disallow Certain Late-Filed Claims

Upon the first omnibus objection (the "First Omnibus Objection")² of the Liquidating Trust in the above-captioned Chapter 11 Cases seeking entry of an order, pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rules 3007-1, disallowing and expunging each of the claims set forth on Schedule 1 hereto as duplicative of another filed claim; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the First Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and counsel for the Liquidating Trust having agreed to adjourn the First Omnibus Objection solely with respect to the claim filed by Martin Gold [Claim No. 288]; and it appearing that proper and adequate notice of the First Omnibus Objection has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the First Omnibus Objection is in the best interests of the Liquidating Trust, the estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The First Omnibus Objection is GRANTED as set forth herein.
2. The Late-Filed Claims listed on Schedule 1 to this Order are each disallowed and expunged in their entirety.
3. The rights of the Liquidating Trust to object in the future to any of the claims that are the subject of the First Omnibus Objection on any grounds, and to amend, modify, and/or

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the First Omnibus Objection.

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supplement the First Omnibus Objection, including, without limitation, to object to amended or newly filed claims is hereby reserved. Without limiting the generality of the foregoing, the Liquidating Trust specifically reserves the right to amend the First Omnibus Objection, file additional papers in support of the First Omnibus Objection, or take any other appropriate actions, including to (a) respond to any allegation or defense that may be raised in a response filed in accordance with the First Omnibus Objection by or on behalf of any of the claimants or other interested parties; (b) object further to any Late-Filed Claim for which a claimant provides (or attempts to provide) additional documentation or substantiation; and (c) objection further to any Late-Filed Claim based on additional information that may be discovered upon further review by the Liquidating Trust or through discovery pursuant to the applicable provisions of the Bankruptcy Rules.

4. For the avoidance of doubt, nothing in the First Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim against the Liquidating Trust, (b) an implication or admission that any particular claim is of a type specified or defined in this Order or the First Omnibus Objection, and/or (c) constitute a waiver of the Liquidating Trust's rights to dispute any claim on any grounds.

5. The Liquidating Trust, its claims and noticing agent (Prime Clerk LLC), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

6. The objection to each claim addressed in the First Omnibus Objection and as set forth on Schedule 1 attached hereto, constitutes a separate contested matter as contemplated by

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Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim set forth on Schedule 1 to this Order. Any stay of this Order pending appeal by any claimants whose claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the First Omnibus Objection and this Order.

7. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the First Omnibus Objection or otherwise waived.

8. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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FRANK THEATRES BAYONNE/SOUTH COVE, LLC, et al.

Late – Filed Claims

Schedule 1

Name of Claimant	Date Claim Filed	Claim Number	Claim Amount	Reason for Disallowance
Lantern Entertainment LLC Attn: Todd Greenfield 9100 Wilshire Blvd, Suite 700W Beverly Hills, CA 90212	3/19/2019	284	\$50,876.00	Claim filed after Bar Date. See Omn. Obj. ¶¶ 14-15, 24; Dec. ¶¶ 6-7 ¹

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¹ References to “Omn. Obj.” are to the *Liquidating Trust’s First Omnibus Objection to Claims Seeking to Disallow Certain Late-Filed Claims*; references to “Dec.” are to the *Declaration of Robert N. Michaelson in Support of the Liquidating Trust’s First Omnibus Objection to Claims Seeking to Disallow Certain Late-Filed Claims*.